



# Rockdale Local Environmental Plan No 172

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S04/00755/S69)

FRANK SARTOR, M.P.,  
Minister for Planning

## 2005 No 700

Clause 1                      Rockdale Local Environmental Plan No 172

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## Rockdale Local Environmental Plan No 172

under the

Environmental Planning and Assessment Act 1979

### 1 Name of plan

This plan is *Rockdale Local Environmental Plan No 172*.

### 2 Aims of plan

The aims of this plan are, in relation to the Tempe House site at Arncliffe:

- (a) to refine the overall masterplanning for the Discovery Point precinct at that site by reconfiguring building envelopes and redistributing floor space between development sites, and
- (b) to improve the amenity of the public domain, and
- (c) to improve residential amenity, and
- (d) to improve the amenity and viability of the retail and commercial formats, and
- (e) to provide more practical and feasible building solutions for development sites over the rail line, and
- (f) to retain key aspects of the approved masterplan for the area including permissible land uses and total floor space areas, maximum building heights, public domain and landscape principles, conservation of heritage items, view corridors, and environmental management principles.

### 3 Land to which plan applies

This plan applies to the Tempe House site at Arncliffe, which is the land to which Clause 46D of *Rockdale Planning Scheme Ordinance* applies, that is, the land bounded by the Princes Highway on the east, Cooks River on the north, the Illawarra Railway Line on the west, and Lusty and Arncliffe Streets on the south, as shown coloured aqua with red edging and lettered 10 (a1) or dark green with red edging and lettered H on Sheet 1 of the map marked "Rockdale Local Environmental Plan No 149" deposited in the office of Rockdale City Council.

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**4 Amendment of Rockdale Planning Scheme Ordinance**

*Rockdale Planning Scheme Ordinance* is amended as set out in Schedule 1.

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Schedule 1 Amendments

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### Schedule 1 Amendments

(Clause 4)

- [1] **Clause 46D Development of “Tempe House” site—general considerations**  
Omit the definition of *DCP No 45* from clause 46D (2).
- [2] **Clause 46D (2), definition of “Development site”**  
Omit “and further described generally in the survey plan prepared by Hard and Forester Consulting Surveyors dated February 2000 and numbered 94900013 Revision 03 deposited in the office of Rockdale City Council”.
- [3] **Clause 46D (2), definition of “Height Control Map”**  
Omit the definition. Insert instead:  
*Height Control Map* means Sheet 1 of the map marked “Rockdale Local Environmental Plan No 172”.
- [4] **Clause 46D (2), definition of “Land Use Map”.**  
Omit “Rockdale Local Environmental Plan No 149”.  
Insert instead “Rockdale Local Environmental Plan No 172”.
- [5] **Clause 46D (5) (e)–(e3)**  
Omit clause 46D (5) (e). Insert instead:
- (e) the gross floor area of all buildings on all of the development sites will not exceed 167,504m<sup>2</sup>, and
  - (e1) the maximum gross floor space for the development site as indicated in Table B to this clause will be met, and
  - (e2) either:
    - (i) the minimum non-residential floor space for the development site as indicated in Table C to this clause will be met, or
    - (ii) a development consent is in force for the development of at least 54,337m<sup>2</sup> of non-residential gross floor area on land to which this clause applies, and
  - (e3) the number of underground car parking spaces on land to which this clause applies will not exceed 2,210, and

**[6] Clause 46D (7) (b)**

Omit “Column 4 of Table A and”.

**[7] Clause 46D (8) (d)**

Omit clause 46D (8) (d) and (e). Insert instead:

- (d) unless either:
  - (i) the minimum non-residential floor space for the development site as indicated in Table C to this clause will be met, or
  - (ii) a development consent is in force for the development of at least 54,337m<sup>2</sup> of non-residential gross floor area on land to which this clause applies.

**[8] Clause 46D (9) (c)**

Omit “and DCP No 45”.

**[9] Clause 46D, Table A**

Omit Column 4 from the Table.

**[10] Clause 46D, Tables B and C**

Omit the Tables. Insert instead:

**Table B—Maximum permitted gross floor space**

<b>Development site</b>	<b>Area (m<sup>2</sup>)</b>
1	13,494
2	8,609
3	26,010
4	8,620
5	16,611
6	21,017
7	17,130
8	41,795
9	14,218

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Schedule 1 Amendments

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**Table C—Minimum non-residential gross floor space**

<b>Development site</b>	<b>Area (m<sup>2</sup>)</b>
1	730
2	560
3	7,600
4	—
5	—
6	597
7	2,500
8	41,700
9	650

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BY AUTHORITY